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# Special Households

## **410 BOARDERS**

### **411 Eligibility Requirement**

A boarder is a person residing with a household who provides meals or meals and lodging in exchange for money (reasonable compensation).

To receive SNAP, a boarder must participate with the household. A boarder cannot participate as a separate household.

A boarder may be eligible as part of the household providing the board if:

- they are otherwise eligible, and
- the household requests the boarder be included.

**Note:** Boarders living in a commercial boarding house cannot participate in SNAP.

#### **411.1 Individuals Not Considered Boarders**

Do not consider the following people as boarders:

- children of the household under age 22; however, this provision does not apply to foster children,
- siblings,
- spouses, and
- individuals furnished both meals and lodging but paying less than reasonable compensation. They are members of the household providing meals.

**Exception:** A child or adult in foster care may be a boarder unless they are included in the household with other members.

##### **411.1.1 How to Determine Reasonable Compensation**

Reasonable compensation is a monthly amount

- equal to the full SNAP allotment for the number of boarders, or
- equal to two-thirds of the full allotment for the number of boarders if the household furnishes two meals or less a day.

Count only the amount paid for meals if it can be separated from lodging. If the amount cannot be separated from lodging, evaluate the total payment.

**412 Boarders as Household Members**

If the household includes a boarder (including a child or adult in foster care) as a household member,

- count all of the boarder's income, resources, and deductions, but
- do not count the payment from the boarder as income.

**413 Boarders That Are Not Household Members**

- Do not count their income and resources; and
- Count the boarder's payment as self-employment income for the household (except foster care payments as stated in manual section A-737).

**420 DISQUALIFIED/EXCLUDED/INELIGIBLE MEMBERS**

**421 Members Disqualified, Excluded or Ineligible because of Ineligible Non-Citizen Status, SSN Disqualification or Ineligible ABAWD Status**

**421.1 Reasons for Disqualification/Exclusion**

Disqualify/Exclude household members who are ineligible because they

- Do not meet Social Security enumeration requirements (noncompliance or voluntary request to comply other than for religious beliefs or good cause reasons)
- Are a non-qualified non-citizen (including non-citizens awaiting sponsor information or proof of sponsor information).
- Are an ineligible ABAWD due to 3-month time limit.

**421.2 Resources**

Count all nonexempt resources in full of the disqualified/excluded members listed in B-421.1 who would **otherwise be a required** household member.

Do not count the disqualified/excluded member when determining which resource limit applies to the household.

## **421.3 Income and Earned Income Deductions**

### **421.3.1 Income**

Enter the countable gross income of the disqualified/excluded member(s) who is an **otherwise required** household member in the system in the same way as for other household members. The disqualified/excluded household members' income is prorated among all members, including those disqualified, and only the eligible members' portion is budgeted.

**Note:** Count in full any cash contributions to the household from a non-household member.

### **421.3.2 Earned Income Deduction**

Apply the deduction **only to the portion** of a disqualified/excluded member's countable earned income that is prorated in the household, and apply it in full to the earned income of remaining members.

## **421.4 Household Deductions**

### **Standard Deduction —**

The household is entitled to this deduction in full.

### **Child Support expense, Dependent care, shelter costs except the Standard Utility Allowance (SUA) —**

**Prorate** if expenses (other than SUA) are **billed to or paid by** the disqualified/excluded member, or they are jointly responsible for the expenses. **The expenses are divided equally** among all household members. Count the eligible members' share in the household budget.

**Count in full** (do not prorate) if an eligible member pays the expenses.

**Do not prorate** the Utility Allowance (UA). Assign the UA to an eligible member (age is not a factor). See manual section A-778.5.1, Utility Allowance (UA), for examples.

**Homeless Shelter Standards** - Prorate the standard if the household claims the standard allowance, regardless of who the expense is billed to or paid by.

**421.5 Medical/Excess Shelter Deductions**

**Medical —**

Prorate the medical bills of a disqualified/excluded member listed in B-421.1.

**Unlimited Excess Shelter —**

The household is eligible for this special provision if the disqualified/excluded member is the only person who qualifies for it.

**421.6 Income Test and Household Size**

Do not include the disqualified/excluded member in determining the household's income limits or the amount of the allotment.

**421.7 Adverse Action**

If a member is disqualified/excluded while certified, notify the household allowing adverse action before disqualifying/excluding a person for failure to comply with SSN requirements, being an ineligible non-citizen or an ineligible ABAWD. The 13-day adverse action notice must explain the reason for the disqualification/exclusion and what the person has to do to become qualified, and the benefits of remaining members. All SNAP household benefits are from the 1<sup>st</sup> through the last day of the month so the adverse action date will be the same date for all cases. Ongoing benefits are available in the EBT account the first day of each month. The adverse action date is displayed on the SUMM and STAT screens. See manual section C-260 — SNAP Adverse Action Dates.

The adverse action date count begins with the last day of the month and counts backward (e.g., issuance ends 3/31/02, adverse action cut-off is 3/19/02). Computer action must take place no later than this date. However, to meet adverse action notification requirements, computer posting must occur 14 days prior to the affected benefit, unless a local print is done on the actual adverse date. Include holidays and weekends in the adverse action count.

**421.8 Reserved**

## **421.9 Ending Disqualification**

When a disqualified/excluded member becomes eligible, add them to the household the month following the end of the disqualification/exclusion. Depending upon the type of change in circumstances, a supplemental issuance may be applicable.

To add a previously disqualified member:

- change the disqualified/excluded member to a participating member code in the computer, which also stops proration of their income and expense; and
- complete/update other necessary computer screens.

## **421.10 Verification**

Disqualified/Excluded members (otherwise required members) are considered part of the household although not allowed to participate. Their circumstances, including income and resources, are subject to verification the same as any other member.

## **422 Members Disqualified Because of Intentional Program Violation (IPV), Noncompliance with the SNAP Employment and Training Program, Fleeing Felon or Drug Related Felon**

Members disqualified because of Intentional Program Violation (IPV), conviction of a drug related felony, status as a fleeing felon or in noncompliance with SNAP Employment and Training Program requirements are still considered part of the household although not allowed to participate. Their circumstances, including income and resources, are subject to verification the same as any other member. The remaining members may participate if eligible.

### **422.1 Resources**

Count all nonexempt resources of a disqualified member listed in B-422.

### **422.2 Income and Earned Income Deductions**

Count all income and expenses of a disqualified member. The disqualified member is entitled to the 20% earned income deduction.



#### **422.3 Shelter and Medical Deductions**

The household receives the excess shelter and medical deductions even if the disqualified person listed in B-422 is the only elderly or disabled person in the household. Even though the household can receive uncapped shelter deductions, both the gross and net income tests must be passed if the disqualified/excluded person was the only elderly or disabled person in the household.

Do not count the disqualified/excluded person in determining the household's size, resource or income limits.

#### **422.4 Adverse Action**

A notice of adverse action is not required when disqualifying a member for intentional program violation (IPV); however, notify the household, allowing adverse action, when disqualifying a member for a felony drug conviction, fleeing felon status or SNAP Employment and Training Work Program noncompliance. To meet the advance notice requirements, notice of an action to reduce or terminate benefits must be taken (posted) in the computer at least 14 days in advance to ensure the computer-generated notice is mailed on time. If case circumstances require a local notice print, posting can be done on the 13<sup>th</sup> advance notice date. When counting the 13-day advance adverse action notification period, weekends and holidays must be included.

#### **422.5 System Entries for Intentional Program Violations (IPVs)**

Refer to the NOMADS User Task Guides instructions to end a disqualification period for Intentional Program Violation (IPV),

- change the disqualification code in the **system** to an eligible code for the applicable footer months; and
- update other applicable computer screens to reflect the newly eligible member.

#### **422.6 Ending IPV Disqualifications**

The person previously disqualified for an IPV is added to the household the month after their disqualification ends.

**430 ELDERLY OR DISABLED HOUSEHOLDS**

**431 Definition of Elderly**

SNAP defines an elderly person as someone who will be age 60 or older as of the last day of the month of application. If the client turns 60 years of age during the certification period, the system will automatically update the case. These households are allowed specialized budgeting (see manual section B-433) and their resource limit increases to **\$3,250**.

**432 Definition of Disabled**

The following individuals are considered disabled:

- Individuals receiving or approved to receive SSI or Social Security disability payments.
- Veterans receiving VA benefits because they have a 100% service-connected disability according to the VA, need regular aid and attendance or are permanently housebound.
- Surviving spouses of deceased veterans who meet one of the following criteria according to the VA:
  - need regular aid and attendance,
  - permanently housebound, or
  - approved for VA benefits because of the veteran's death and could be considered permanently disabled for Social Security purposes. (See manual section B-432.1 for Social Security's criteria for permanent disability.)
- Surviving children (any age) of a deceased veteran who the VA
  - has determined are permanently incapable of self-support, or
  - has approved for benefits because of the veteran's death and considered permanently disabled for Social Security purposes. (See manual section B-432.1.)
- Individuals receiving federal, state or public disability retirement benefits for a disability considered permanent under Social Security standards.
- Individuals receiving Railroad Retirement Disability who are also covered by Medicare.
- Individuals receiving interim assistance (IA) benefits pending the receipt of SSI.

- Individuals approved for Medical Assistance to the Aged, Blind and Disabled (MAABD).
- Individuals receiving disability benefits from any other state or private employment source, which uses criteria at least as stringent as those used by the Social Security Administration.

**Note:** Those who qualify for a disability benefit but due to an overpayment recoupment receive no payment, are considered disabled.

**Households with a disabled member are allowed specialized budgeting the same as households with elderly members and have a resource limit of **\$3,250**.**

### **432.1 Social Security's Criteria for Disability**

The Social Security Administration determines any of the following 12 conditions result in permanent disability:

- Permanent loss of use of both hands, both feet, or one hand and one foot.
- Amputation of leg at hip.
- Amputation of leg or foot because of diabetes mellitus or peripheral vascular diseases.
- Total deafness, not correctable by surgery or hearing aid.
- Statutory blindness, unless caused by cataracts or detached retina.
- IQ 59 or less, established after the person becomes 16 years old.
- Spinal cord or nerve root lesions resulting in paraplegia or quadriplegia.
- Multiple sclerosis in which there is damage to the nervous system caused by scattered areas of inflammation. The inflammation recurs and has progressed to varied interference with the function of the nervous system, including severe muscle weakness, paralysis, and vision and speech defects.
- Muscular dystrophy with irreversible wasting of the muscles, impairing the ability to use the arms or legs.
- Impaired renal function caused by chronic renal disease, resulting in severely reduced function which may require dialysis or kidney transplant.
- Amputation of a limb of a person at least 55 years old.
- Acquired Immune Deficiency Syndrome (AIDS) progressed so it results in extensive and/or recurring physical or mental impairment.

Some of these conditions are obvious and their existence is evident by observation. Others may require the opinion of a physician and/or staffing with the Chief of Eligibility and Payments and/or SNAP Program Specialist. **Do not** send a referral to NMO, as they no longer make medical determinations for SNAP.

**Note:** Many people with one of the 12 conditions might already receive SSI or Social Security blindness or disability payments, or their disability is obvious (such as amputation of leg at hip). **For example**, a veteran's surviving spouse who also receives SSI already qualifies as disabled under manual section B-432, Definition of Disabled. There is **no need to prove** Social Security permanent disability.

**433 Special Provisions for Elderly or Disabled Households**

Households with an elderly or disabled member receive special treatment. The special provisions are

- **Income tests** — households with elderly or disabled members **are exempt** from the gross income test.
- **Medical deduction** — households with an elderly or disabled member who has medical bills that exceed \$35 a month are entitled to a medical deduction.
- **Excess shelter** — households with elderly or disabled members receive an excess shelter deduction for the full monthly amount that exceeds 50% of the household's monthly income after the allowed deductions.
- **Resources** — households with a **disabled** or **elderly person** have a resource limit of \$3,250.

**434 Verification**

An elderly or disabled person who claims separate household status must provide the information needed to determine if they are elderly or disabled.

**440 Reserved**

**450 PARTICIPANTS IN SPECIAL PROGRAMS**

**451 Alcoholic/Narcotic Treatment Centers**

**451.1 Eligibility Requirements**

Alcoholics or narcotic addicts who regularly participate as residents in a center that conducts a drug or alcoholic treatment program may apply if the treatment center meets either of the following criteria:

- The center is authorized by USDA - Food and Nutrition Service (FNS) to accept SNAP benefits, or
- The center is a private, nonprofit organization or institution or a publicly operated community mental health center that is approved by the Nevada State Substance Abuse Prevention and Treatment Agency (SAPTA).

Determine eligibility using the same income and resource standards as other households.

**Note:** Include the child(ren) of the narcotic addict or alcoholic in the household if they live together at the treatment center. However, children residing in the center who receive treatment must apply as a one-person household.

The center **must act as authorized representative.**

Residents who are not regular participants in a treatment or rehabilitation program are **not** eligible. **Document/Narrate the reason for ineligibility in the CLOG or other designated computer screen(s).**

#### **451.2 Worker Responsibilities**

For alcoholics or narcotic addicts participating at treatment centers,

1. verify the center meets one of the criteria in manual section B-451.1;
2. give the center application and change reporting forms, etc;
3. obtain a signed list of participants on a monthly basis;
4. conduct periodic random on-site reviews of the centers to ensure the accuracy of the monthly listings.

During these visits, document

- date of the visit,
  - number of residents, and
  - proof of certification.
5. Report any suspected misuse of SNAP benefits by the center to the supervisor or Office Manager.

#### **451.3 Office Manager Responsibilities**

1. Report misuse of SNAP benefits in centers certified by USDA to

Officer in Charge, Supplemental Nutrition Assistance Program  
Food and Nutrition Service, USDA  
360 East 2<sup>nd</sup> Street, Ste. 705  
Los Angeles, California 90012

Do not take any further action on a facility certified by USDA before USDA's action. Compute over issuances for the individual residents as appropriate.

2. Report misuse in centers certified by state agencies to the Investigations and Recovery (I&R) Specialist, SNAP Program Specialist or the Chief of Eligibility and Payments in Central Office.

**Note:** If the I&R staff handling the investigation confirms the report is valid, they refer the facts to the Regional Administrator, USDA, Food and Nutrition Service, 90 Seventh Street, Suite 10-100, San Francisco, California 94103. The investigative unit sends a copy of the referral to the Social Welfare Manager responsible for the case record and the Chief of Eligibility and Payments.

#### **451.4 Processing Applications**

Application processing time frames and procedures are the same for residents except

- **Household size** — Use the following procedures to certify treatment center residents and their families if they live together:
  - Single residents are certified as one-person households.
  - Certify all adult residents and their children, who are not receiving treatment themselves, as one household.
- **Authorized Representative** — The center must act as authorized representative for residents until they leave.
- **Expedited Service** — Benefits must be provided to eligible residents by the **seventh** day from the application date. The application date is the first day of the expedited time frame.
- **Adverse Action** — If the center loses its certification from the certifying agency or agencies of the state, or has its status as an authorized representative suspended due to a Food and Nutrition Service (FNS) disqualification as a retailer, residents shall be notified they are no longer eligible to participate, but **NO** adverse action is required. However, residents of group living arrangements applying on their own behalf are still eligible to participate. [FNS Sub Chapter C-7CFR273.13(b)(11)].
- **Work registration** — The resident is exempt.

#### **451.5 Center Responsibilities as Authorized Representatives**

The center acting as AR must

- report to the district Welfare office loss of income or certification;
- apply for, receive and use individual household Electronic Benefits Transfer (EBT) card at authorized stores or other FNS certified establishments for the resident;
- report changes, losses, misuse and over issuance of SNAP benefits;
- buy and prepare food for eligible residents;
- buy meals delivered to the individual residents; and
- report residents leaving the center.

The resident and AR both must sign the application form, unless the resident designates the AR on another form. The center acting as AR is liable if it knowingly commits a program violation to obtain SNAP benefits for residents. **Note:** A center disqualified by USDA as a retailer or has lost its license from a state agency cannot be an AR.

#### **451.6 Residents Leaving the Center**

1. Once the participant leaves the center, the center must:
  - a. Give the resident their EBT Card (if it was in possession of the center);
  - b. Return any **un-transacted** EBT benefits, or the household's full SNAP allotment if already issued and no benefits have been spent on behalf of that individual;
  - c. Cease using the resident's EBT card, which will be inactivated upon report the client has left the center.
2. If the SNAP allotment becomes available in an EBT account through the use of the EBT QUEST card, the center must:
  - a. Provide the resident the full allotment if no food assistance has been provided regardless of when the resident leaves.
  - b. Provide one-half of the benefits/allotment if any portion of the benefits has been accessed using the EBT QUEST card on their behalf and the client leaves the center before the 16<sup>th</sup> day of the month. The resident receives no benefits if they leave the center after the 15<sup>th</sup> day of the month and SNAP benefits have been issued and used.



3. The center must give the resident a change report form and tell them to report their new address to the local office within 10 days.
4. If a resident leaves unannounced, the center must return their EBT card and any benefits received or accessed via EBT after the departure to the local district office.
5. EBT benefits will remain in the EBT account, and may be accessed by the recipient up to one (1) year after reissuance.
6. The center must provide the local district office with the resident's forwarding address, if known.
7. The center may not act as AR for participants who leave the facility.

If a resident, with a pending application, leaves the group home/center (with or without notification) and their whereabouts are unknown and there is no subsequent contact with the agency, do not deny. Hold the application until the 30<sup>th</sup> day after the date of application before taking a denial action for loss of contact.

## **452 Group Living Arrangements**

### **452.1 Definition**

A group living arrangement is a public or private nonprofit residential facility which serves no more than 16 residents. The facility must be certified by any Division of the Nevada Department of Health and Human Services as a group home or group care facility, or Food and Nutrition Service to redeem SNAP benefits.

**Note:** Group home policy does not apply when the majority of meals are not provided by the home.

### **452.2 Eligibility Requirements**

Disabled residents, as defined in manual section B-432 may be certified in a group living arrangement. Eligibility is determined using the same income and resource standards as other households.

The residents of group living arrangements may

- apply for themselves;
- apply through an authorized representative of their choosing; or
- apply through an authorized representative employed by the center.

The residents in the group living arrangement decide if they want to apply as a group, as individuals, or through an AR. If a member of the group wants to apply on their own, the facility's decision to let him apply is based on the resident's physical and mental ability to handle his own affairs. Accept applications from any individual the center allows to apply as a one-person household or for any group of residents applying as a household, regardless of whether one or all have an AR.

### **452.3 Worker Responsibilities**

Take the following actions when certifying individuals in a group living arrangement:

1. Verify the group living arrangement meets both criteria below:
  - **certified** by a state agency as required. This certification may be verified by contract documents or certificates of eligibility or a published listing from USDA/FNS or the Nevada Department of Health and Human Services.
  - Operated as a nonprofit facility. Verify nonprofit status. If the center is authorized by USDA to accept SNAP benefits, the group living arrangement's eligibility is verified.
2. Give the Authorized Representative the application, Rights and Obligations and Authorized Representative forms.
3. Obtain a signed listing of participants on a monthly basis from the group care facilities' AR.
4. Conduct periodic random on-site visits.

During these visits document

- a. date of the visit,
  - b. number of residents, and
  - c. proof of certification and nonprofit status.
5. Report any suspected misuse of SNAP benefits by the center to the supervisor or Office Manager.

#### **452.4 Office Manager Responsibilities**

1. Report misuse of SNAP benefits in centers certified by USDA to

Officer in Charge, Supplemental Nutrition Assistance Program  
Food and Nutrition Service, USDA  
360 East 2<sup>nd</sup> Street, Ste. 705  
Los Angeles, California 90012  
Telephone: (213) 894-7834  
Toll Free: (877) 823-4369

Do not take further action on a facility certified by USDA before USDA's action, but correct over issuances as needed.

2. Report misuse in centers certified by state agencies to the Investigations and Recovery Specialist, SNAP Program Specialist or the Chief of Eligibility and Payments in Central Office. If the investigative unit determines the report is valid, they refer the facts to

Officer in Charge, Supplemental Nutrition Assistance Program  
Food and Nutrition Service, USDA  
360 East 2<sup>nd</sup> Street, Ste. 705  
Los Angeles, California 90012  
Telephone: (213) 894-7834  
Toll Free: (877) 823-4369

A center disqualified by FNS or loses its state license cannot serve as an Authorized Representative.

#### **452.5 Processing Applications**

Most time frames and procedures for certifying households apply to residents of group homes. The exceptions are

- **Household size** — Use the following procedures to certify group home residents and their families if they live together:
  - If the group home applies, single residents are certified as one-person households.
  - If the residents apply together, 16 is the largest household.
- **Expedited Service** — Benefits must be provided to eligible residents by the seventh day from the application date. The application date is the first day of the expedited time frame.

- **Adverse Action** — If the center loses its certification from the certifying agency or agencies of the state, or has its status as an authorized representative suspended due to a Food and Nutrition Service (FNS) disqualification as a retailer, residents shall be notified they are no longer eligible to participate, but **NO** adverse action is required. However, residents of group living arrangements applying on their own behalf are still eligible to participate. [FNS Sub Chapter C-7CFR273.13(b)(11)].
- **Work registration** — The resident is exempt.

#### **452.6 Center Responsibilities as Authorized Representatives**

The group home acting as AR must

- report to the local office a loss of income or certification;
- apply for, receive and redeem SNAP benefits for resident;
- report changes, losses, misuse and over issuance of SNAP benefits;
- buy and prepare food for eligible residents;
- buy meals delivered to the individual residents; and
- report residents leaving the group home.

The resident and AR both must sign the application form, unless the resident designates the AR on another form. The center acting as AR is liable if it knowingly commits a program violation to obtain SNAP benefits for residents.

**Note:** A group home disqualified by USDA as a retailer or has lost its license from a state agency cannot be an AR.

If the Group Home is Not the Authorized Representative:

- Residents may apply as a one-person household or groups of residents may apply as a household.
- If the household retains use of their EBT benefits and a member leaves the group home, all unused EBT benefits are retained by the household.
- If a group of residents have applied as one household and the benefits have been given to the group home as payment for meals, the home shall return a pro-rata share of one-half of the allotment/EBT benefits to the departing resident(s) and instruct them to contact the local Welfare district office to update their case and EBT account information, if the residents leave prior to the 16th of the month.

**452.7 Residents Leaving the Group Home**

1. If the resident has left or is leaving the Group Home (GH), the Group Home must:
  - a. Give the resident their EBT card if it was in possession of the center.
  - b. Return any untransacted benefits, or the household's full SNAP allotment if already issued and if no benefits have been spent on behalf of that individual household and return any **unused** SNAP benefits when they leave the home.
  - c. If applicable, cease acting as the authorized representative and using the authorized representative EBT card.
2. If the SNAP benefits have been redeemed or become available in an EBT account through the use of the EBT QUEST card, the Group Home must:
  - a. Provide the resident the full benefits if already issued and unused regardless of when they leave, unless the EBT account has not been accessed;
  - b. Report the client has left the facility. Any unauthorized representative EBT card will be inactivated.
  - c. Provide one-half of the benefits/allotment if any portion of the benefits have been accessed using the EBT QUEST card on their behalf and the client leaves the facility before the 16th day of the month. The resident receives no benefits if they leave the facility after the 15th day of the month and benefits have been issued and used.
3. The group home must give the resident a change report form and tell them to report their new address to the local office within 10 days. If the resident does not report the change and cannot be located, terminate assistance allowing adverse action.
4. If a resident leaves unannounced, the group home must return their EBT QUEST card and benefits received after the departure to the local office.
5. The group home must return to the Division of Welfare and Supportive Services (DWSS) any unused SNAP benefits that were not given to departing resident. EBT benefits will remain in the individual's EBT account, and may be accessed by the recipient up to one (1) year from issuance.
6. The group home must provide the local DWSS office with the resident's forwarding address.
7. The group home may not **act as** an authorized representative for participants who leave the facility.

If a resident, with a pending application, leaves the group home/center (with or without notification) and their whereabouts are unknown and there is no subsequent contact with the agency, do not deny. Hold the application until the 30<sup>th</sup> day after the date of application before taking a denial action for loss of contact.

**453                    Prepared Meal Services**

**453.1                Communal Dining or Meal Delivery Services**

Eligible households may use their EBT QUEST card (if the center has a point of sale (POS) device) to purchase prepared meals through **communal dining** or **meal delivery services**.

To be eligible, household members must be

- 60 years of age or older; or
- housebound, physically disabled, or unable to prepare their own meals. The disabled household member who is under 60 must be receiving SSI to participate in communal dining.

**453.2                Prepared Meals for the Homeless**

Homeless households may use SNAP benefits to purchase prepared meals from authorized meal providers or food dispensers approved by FNS for that purpose (see policy in manual section B-455.1).

## **454 Residents in Shelters for Battered Women**

### **454.1 Eligibility Requirements**

Residents in approved shelters for battered women and children may receive SNAP benefits. They must meet the same income and resource standards as other households, except duplicate participation.

The special procedures for residents in shelters for battered women apply to people living in private or public nonprofit residential facilities that usually serve meals.

If the shelter does not serve meals it is not classified as an institution. Residents of this type of shelter may receive SNAP benefits as individual household units or as part of a group of individuals like any other household.

Residents in shelters for battered women may apply for SNAP and use SNAP benefits on their own behalf. They may also appoint a shelter representative or another person to act as authorized representative.

### **454.2 Approved Centers**

Shelters for battered women and children must be public or private nonprofit residential facilities that serve battered women and children. If a facility serves other people, part of the facility must be set aside on a long-term basis to serve only battered women and children.

If nonprofit status is questionable, verify the shelter's status as a nonprofit organization by seeing a current certificate from the Internal Revenue Service, or if USDA/FNS has certified the shelter as a retailer, then eligibility of the shelter is confirmed.

### **454.3 Buying Meals**

Resident households may use their EBT QUEST card (if the center has a point of sale (POS) device) to purchase meals prepared at a shelter authorized by FNS to redeem SNAP benefits.

### **454.4 Processing Applications**

The same processing standards and time frames for initial and ongoing eligibility decisions, handling reported changes and other actions, including verification and documentation requirements apply to residents in shelters for battered women.

#### **454.5            Expedited Service**

Shelter residents are eligible for expedited service if otherwise eligible. The expedited time frame (7 days) begins the date the application is date stamped in the Division of Welfare and Supportive Services (DWSS) district office.

#### **454.6            Participation Twice in Same Issuance Month**

Shelter residents who are members of a currently certified household may participate as a separate household for one month, even if the former household has already received stamps if

- the former household's allotment was based on a household size that included the battered individual and children;
- the former household includes the person who abused them or threatened to abuse them. See manual section B-454.1; and
- the sheltered resident was not designated as the head of household in the former residence they left.

#### **454.7            Determination of Eligibility**

Determine eligibility for shelter residents based on their income, resources, and expenses. The income and resources of their former household and jointly held resources are not counted. Consider room payments to the shelter as shelter expenses.

#### **454.8            Adverse Action**

A shelter resident has the same right to adverse action notices, hearings, and lost benefits as other households.

#### **454.9            Work Requirements**

Residents must cooperate with work requirements unless otherwise exempt.

#### **455              Homeless Households**

Homeless households are defined as those who have no regular nighttime residence, or whose primary residence is

- a supervised shelter that provides temporary living quarters,
- a halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized,



- a place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings (e.g., hallways, park bench, bus station, lobby or similar places), or
- temporary quarters in another person's residence is limited to 90 days.

**Note:** Homeless meal providers **may not be authorized representatives for homeless individuals.**

#### **455.1 Eligibility Requirements**

Homeless households can apply for SNAP benefits even if they are living in a shelter for the homeless. They must meet the same household composition, income, and resource standards as other households. If the household pays for room in a shelter, consider the payments as shelter expenses.

Homeless households can apply for and use SNAP benefits the same as other households. They can also use their SNAP benefits to purchase prepared meals from establishments that have been

- approved by Division of Welfare and Supportive Services (DWSS) as providers of meals to the homeless, and
- authorized by USDA/FNS to accept (redeem) SNAP benefits.

#### **455.2 Worker Responsibilities**

If a meal-provider representative contacts Division of Welfare and Supportive Services (DWSS) about certification procedures, the local district Welfare office will be responsible for evaluating the establishments serving meals to homeless persons, and granting the State-certification.

The designated Division of Welfare and Supportive Services (DWSS) employee must ensure, through discussion with the meal provider, the establishment:

1. Is seeking State-certification as a homeless meal provider.
2. Completes and submits Form 2724, Application for Certification As a Homeless Meal Provider.
3. Is a public or private nonprofit organization which serves meals to the homeless.

4. **If the meal provider does not meet the requirements in #3, deny the application, or if the meal provider meets the requirements, the designated Division of Welfare and Supportive Services (DWSS) staff will**
  - schedule a visit with the establishment's operator at a time convenient for both parties; and
  - review the establishment's abilities to, and methods of, providing meals to homeless persons; and
  - resolve, if questionable, any doubts about the provision of meals to the homeless at the visit.
5. The office manager makes the final decision as to whether or not the establishment serves meals to homeless individuals.
6. If the establishment is a public or private nonprofit organization which serves meals to the homeless, Form 2723, Certification as a Homeless Meal Provider, will be mailed to the establishment.
7. If either criterion in #6 above is not met, Form 2722, Denial of Certification as a Homeless Meal Provider, will be mailed to the establishment.
8. Forms 2723 and 2722 must be signed by the office manager.
9. Notice of Certification or Denial of Certification must be sent to the provider within 30 days of the date of application.
10. The local office must maintain a current listing of certified homeless meal providers and provide a copy to Central Office Eligibility and Payments.
11. A state certification remains in effect indefinitely.
12. Once certified, no further action is taken, unless information is received indicating the provider no longer serves meals to the homeless. At that time, contact the provider to determine whether or not they are still eligible as a homeless meal provider. The office may require an on-site visit.
13. If the state withdraws its certification of a homeless meal provider, complete Form 2725 and forward it to the Food and Nutrition Service (FNS) office:

SNAP Program Specialist  
USDA/FNS  
360 East 2<sup>nd</sup> Street, Ste. 705  
Los Angeles, California 90012  
Telephone: (213) 894-7834  
Toll Free: (877) 823-4369

### **455.3 Meal Provider Responsibilities**

Authorized meal providers for the homeless

- are responsible for determining if a household may use SNAP benefits to purchase prepared meals;
- must require the household produce its **EBT QUEST card** which entitles them to purchase meals with SNAP benefits;
- must allow SNAP households the option of paying for their meal if this option is afforded non- SNAP households;
- cannot charge the SNAP household more than the average cost of meals for other patrons;
- must ensure meals provided are not totally from donated foods.

**Note:** Some Homeless Meal Providers are certified as a non-traditional retailer with FNS in order to receive a POS device. A retailer may not pre-charge for meals/products, nor can they allow credit (give services and charge the client later after benefits are approved). They are required to charge at the time services are rendered.

### **456 Homeless Youth**

In an effort to ensure homeless youth can access healthy food, SNAP benefits will be made available providing they meet the following requirements:

A homeless youth is defined as an individual under the age of 18 who does not live with his/her parents who purchases and prepares his/her own food.

The homeless youth may be living:

- on the streets;
- in a shelter;
- in a vehicle;
- in a motel; or
- in a temporary situation without a permanent address.

Homeless youth are not required to have a photo ID or permanent address to apply for SNAP benefits.

If they are younger than 18 and living on their own, they are not required to apply as part of their parents "household".

If the homeless youth is staying temporarily with others, she/he can apply independently from the other household members if she/he purchases and prepare their own food. If the homeless youth is temporarily staying with others and they purchase and prepare food together, they must apply as part of the household in which they are staying.

**456.1 Identification**

Examples of acceptable identification evidence which the applicant may provide include, but are not limited to, a driver's license, a work or school ID, and ID for health benefits or from another assistance or social services program, a voter registration card, wage stubs, or a birth certificate.

Any documents which reasonably establish the applicant's identity must be accepted, and no requirement for a specific type of document, such as a birth certificate, may be imposed.



**460 HOUSEHOLDS WITH SPECIAL CIRCUMSTANCES****461 SPONSORED NON-CITIZENS**

Eligible legal non-citizens may be sponsored by an individual meeting sponsorship requirements.

**461.1 Definition**

A sponsored non-citizen is a non-citizen for whom a person (the sponsor) has executed an affidavit of support (INS Form I-864 or I-864A) on behalf of the non-citizen pursuant to section 213 of the INA.

Sponsored non-citizens entering the country on or after August 22, 1996 are sponsored under a legally enforceable affidavit of sponsorship. This sponsorship remains in effect and the sponsor's income must be deemed until one of the following conditions are met:

- The non-citizen gains U.S. Citizenship;
- The non-citizen has worked or can receive credit for 40 qualifying quarters or;
- The sponsor dies.

**Note:** Not all non-citizens must obtain a sponsor before being admitted into the United States.

**461.2 Non-Citizens Not Affected by Sponsor Deeming**

Sponsor deeming rules do not apply to the following individuals:

- Non-citizens who are not required by INS to have a sponsor;

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- Non-citizens who are refugees, parolees, asylum grantees, or Cuban/Haitian entrants.
- Non-citizens whose sponsors receive TANF or SSI.
- Non-citizens admitted to the United States before April 1, 1980, under Section 203(a)(7) of the Immigration and Naturalization Act.
- Non-citizens admitted to the United States after March 31, 1980, under Section 207 (c) of the Act.
- The dependent child of the sponsor.
- The dependent child of the sponsor's spouse.
- Non-citizens who the agency has determined to be unable to obtain food and shelter taking into account:
  1. The sum of the eligible non-citizens household income
  2. Cash on hand
  3. Food
  4. Housing or other assistance
  5. Cash contributions from the sponsor or others
  6. The value of any in-kind assistance provided by the sponsor or others.

The sum of the income may not exceed 130% of the poverty in the application month.

If the non-citizen is determined to be indigent, the only amount that the agency can deem is the amount actually provided for the period beginning on the date of such determination and ending 12 months after this date. The indigent determination may be renewed for 12 month periods.

The local office **MUST** notify the USCIS\* of each indigent determination, including the names of the sponsor and the sponsored non-citizen involved.

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- Non-citizens who are not required to have a sponsor under the Immigration and Nationality Act, such as refugees, parolees, asylum grantees or Cuban/Haitian entrants.
- Non-citizens who are members of their sponsor's SNAP case.
- Non-citizens who are sponsored by an organization or group as opposed to an individual.
- Non-citizens who the agency has determined to be unable to obtain food and shelter taking into account:
  1. The sum of the eligible non-citizens household income
  2. Cash on hand
  3. Food
  4. Housing or other assistance
  5. Cash contributions from the sponsor or others
  6. The value of any in-kind assistance provided by the sponsor or others.

The sum of the income may not exceed 130% of the poverty in the application month.

If the non-citizen is determined to be indigent, the only amount that the agency can deem is the amount actually provided for the period beginning on the date of such determination and ending 12 months after this date. The indigent determination may be renewed for 12 month periods.

The local office **MUST** notify the USCIS\* of each indigent determination, including the names of the sponsor and the sponsored non-citizen involved.

- Battered non-citizen spouses, non-citizen parents of a battered child, or child of a battered non-citizen, **for 12 months** after the agency determines that the battering is substantially connected to the need for benefits, and the battered individual does not live with battered. **After 12 months**, the agency must not deem the batterer's income and resources if the battery is recognized by a court or the INS and has a substantial connection to the need for benefits, and the non-citizen does not live with the batterer.

\* See Manual Section A-640.6.2 for the address of the United States Citizenship and Immigration Services.

### **461.3            Responsibility to Provide Information**

The sponsored non-citizen is required to obtain all information from the sponsor and sponsor's spouse and for reporting changes in the sponsor's situation as any other change is reported.

Failure of the sponsor to submit information necessary to determine non-citizen and sponsorship status, income and resources, will result in ineligibility for the entire TANF household.

Non-citizens waiting for proof of information from the sponsor are disqualified until the information is provided. Remaining household members may participate if eligible.

When verification is not submitted timely, the non-citizen is considered an ineligible non-citizen. The non-citizen's income and resources are counted using the disqualified non-citizen rules. If the disqualified non-citizen later provides the information, process the information as a reported change.



**461.4            Reserved**

**461.5            Reserved**

**461.6            Sponsors' Liability in Overpayments**

Sponsors and non-citizens are jointly liable for overpayments resulting from incorrect information provided by the sponsor unless the sponsor can show good cause or that he was not at fault for the error. The sponsor or non-citizen, or both, can appeal the amount or fault of an overpayment.

If a sponsor and non-citizen are jointly liable for an overpayment

- Refer both to Investigations and Recovery (I&R), if intentional program violations are suspected.
- If intentional program violations are not suspected, establish a claim against the non-citizen's and the sponsor's households on open cases and refer claims on closed cases to I&R.
- Demand letters are sent to both the non-citizen and the sponsor. In the sponsor's demand letter, inform them they are not responsible for the claim if they have good cause for the error or were not at fault. Do not suspend action on the non-citizen if still pursuing action against the sponsor.

**461.7            Reserved**

**462              Strikers**

**462.1           Definition**

A striker is anyone who participates in a slow-down or stoppage of work with one or more other employees. However, once a company hires a replacement for a striker, an individual is no longer considered a striker.

A person's status as a striker ends only when they return to the job, retire, quit, get locked out or fired, or the company is forced out of business regardless of the length of the strike.

**Exception:** Apply the voluntary quit penalty to striking federal, state, or local government employees who are dismissed because they strike.

**462.2 People Not Considered Strikers**

People not considered strikers are those who are

- exempt from work registration on the day before the strike for any reason other than employment (such as care of a child).
- not participating in the strike, but cannot work because of the strike.  
**Example:** Airline pilots strike, and baggage handlers cannot work because there is no work.
- afraid to cross the picket line because of threatened harm.
- locked out of their jobs by employers, including people who were on strike before the lock-out.

**462.3 Eligibility Requirements**

Deny the household's application or terminate ongoing benefits for any month in which a legal parent with whom the child is living is participating in a strike on the last day of the month.

When determining eligibility and grant amount, do not include the needs of other members of the household who participate in a strike on the last day of a month.

**Note:** Calculate overpayments when applicable.

A household with strikers is ineligible for SNAP benefits, unless the household was eligible the day before the strike and is otherwise currently eligible.

**462.4 Resources**

If resources are over the maximum limit either the day before the strike or currently, the household is ineligible.

Exempt any property necessary to produce income, such as tradesman's tools.

Prestrike Eligibility — Use the income of all household members (including the striker) as of the day before the strike. If the household is ineligible, deny or terminate the case.

If the household would have been eligible before the strike, compute current eligibility.

### **Current Eligibility**

1. Compare the striker's income for the 30 days prior to the day the strike began with his current income (including union benefits and part-time jobs). Count the higher of the two incomes.
2. Add the striker's higher income to the current income of other household members.

If the household is not eligible, deny or terminate benefits.

If the household is eligible based on current income and income before the strike, determine if the household meets all other eligibility criteria. Other eligibility criteria must be considered the same as income, e.g., the household must be eligible both currently and before the strike.

The household WILL NOT receive an increased allotment as a result of a decrease in the household's income due to the strike.

### **462.6 Work Registration**

A striker must comply fully with the work registration requirement. However, they do not have to accept employment at a location subject to a strike or lock-out. Employment is available if a strike is prohibited under either the Taft-Hartley or Railway Labor Acts. Failure by the striker to return to this employment, for any reason, is failure to comply with work registration requirements. This makes the entire household ineligible.

### **462.7 Verification**

Contact union and company officials to find out the probable length of the strike and to verify wages from the struck company, striker's benefits, or other help from the union.

Do not use the services of people or organizations who are parties to a strike or lock-out to interview applicants involved in the strike or lock-out.

**463                    Households with Members on TANF and Medical Only**

See manual section A-600 for two-parent TANF cases that include an other-related child (stepchild).

## **470 ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWDs)**

Effective 11/22/96, all ABAWD individuals ages 18 through 49 are ineligible to continue to receive SNAP benefits after receiving three (3) full issuances (do not count or track prorated benefits for the initial month of application or benefits calculated to be under the minimum allotment and not paid for the month of application), if during a 36 month period (this is a rolling period of time not a set 3 year period) they did not either:

- work at least 20 hours or more per week (averaged monthly) **Note:** receiving earnings equal to 20 hours per week multiplied by the federal minimum wage does **NOT** apply here as it does in the FSET exemptions; or
- participate in and comply at least 20 hours or more per week with a Workforce Investment Act of 1998 (WIA) formerly known as the Job Training and Partnership Act (JTPA) program, Trade Adjustment Assistance Act (TAAA) program; or
- participate in community service at least 20 hours or more per week.

For the purposes of this section, work is defined as:

- work in exchange for money;
- work in exchange for goods or services (work “in kind”); or
- a combination of work for money and work “in kind.”

Eligibility for another three (3) months can be regained under certain conditions. The additional three (3) months **must be** consecutive. See manual section B-473.

### **470.1 ABAWD Exemption Provisions**

An applicant/recipient meeting one of the following conditions is **exempt** from the ABAWD provisions.

To be **exempt** from the ABAWD provisions, the applicant/recipient must be:

- under age 18 or age 50 and over (an individual is no longer considered an ABAWD as of their 50<sup>th</sup> birthday);
- medically certified as physically or mentally unfit for employment as follows:
  1. is receiving temporary or permanent disability benefits issued by governmental or private sources;
  2. is obviously mentally or physically unfit for employment as determined by the Division of Welfare and Supportive Services (DWSS);
  3. if the unfitness is not obvious, provides a statement from a physician, psychologist, medical personnel or social worker that he or she is physically or mentally unfit for employment.

- a parent (natural, adoptive or stepparent) of a household member under age 18, even if the child who is under the age of 18 is not eligible for SNAP;
- residing in a home with an individual under age 18, even if the child is not eligible for SNAP benefits (i.e., non-qualified citizen). The child does not have to be under parental control of the adult, however, they must be in the same SNAP household;
- a pregnant woman (the father of an unborn is not exempt from the ABAWD provisions due to caring for a dependent until the baby is born);
- a high school student age 18 or 19;
- meeting a **federal** work exemption as outlined in manual section A-822 (e.g., receiving unemployment insurance benefits or employed or self-employed at least 30 hours per week, or receiving earnings equal to 30 hours per week multiplied by the federal minimum wage). **Note:** ABAWDs receiving a **state** work exemption are not subject to the FSET participation requirement, but are subject to the 3 in 36-month or limitation on receipt of benefits; or
- residing in Labor Surplus and/or High Unemployment Rate Waiver areas. See manual section B-472.

A provision of the Balanced Budget Act of 1997 permits states to exempt up to 15 percent of their unwaived, unemployed, childless ABAWD population from the PRWORA three-month time limit. Each year FNS notifies states of their number of exemptions. The Division of Welfare and Supportive Services (DWSS) will allocate a determined number of monthly exemptions to each district office. Eligibility staff will provide exemptions to ABAWD individuals who are (1) obviously physically or mentally unfit for employment and are unable to provide medical certification from a physician, psychologist, medical personnel or social worker; or (2) residing in rural Nevada (non-waiver areas) when employment opportunities become limited (i.e., mining closures).

Update ABAWD status no later than the next month following the change in circumstance for Status Change Reporters. If the adverse action date has passed, update the case for the next available month. Decisions regarding ABAWD status for Simplified Reporting households will be delayed until the next recertification, unless the change is reported by the client.

## **470.2 ABAWD Certifications**

SNAP cases with:

- a single individual who qualifies as an ABAWD will only be certified for a three-month (90-day) period. These individuals will receive an automatic Notice of Expiration (NOE).
- more than one adult in a multiple person/family SNAP household (with one or more adults who qualify as an ABAWD) will be given a normal certification period (e.g., 6, 12 or 24-month period) and future-actioned by the case manager for 80 days after approval or recertification to remove the ABAWD from the case if proof of compliance with provisions outlined in manual section B-470 is not received by the end of the 70-day period (three month ABAWD eligibility period).

**471                    SNAPET Work Codes To Screen and Use In Determining SNAPET Status**

The ABAWD requirements and SNAPET participation are two separate determinations:

- An individual receiving UIB is exempt from both the ABAWD requirement and SNAPET participation.
- Individuals age 18 through 49 are subject to both ABAWD requirements and SNAPET participation, unless otherwise exempt.
- Individuals 50 through 59 are subject to SNAPET, but not ABAWD provisions.
- Individuals living in waived areas are exempt from ABAWD requirements.
- An individual who is working between 20 and 29 hours a week is exempt from ABAWD requirements (ABAWD code W), but is subject to SNAPET participation, unless otherwise exempt.

For SNAPET work participation requirements, see manual section A-800.

**FEDERAL SNAPET EXEMPTIONS**

An individual meeting a federal exemption is NOT an ABAWD (see manual section B-470). When an individual no longer meets a federal exemption, determine if the individual is then considered an ABAWD and update the E&T code (mandatory or state exemption).

For Federal SNAPET Exemption codes see manual section A-816.

**STATE SNAPET EXEMPTIONS**

An individual meeting a state exemption may be an ABAWD or non-ABAWD.

For State SNAPET Exemption codes see manual section A-816.

**SNAPET PARTICIPATION DEFERRALS**

For SNAPET Participation Deferral codes see manual section A-816.

**MANDATORY CATEGORY CODES – SNAPET**

Mandatory Codes	Definitions
M	Mandatory
(Y) in Vol Sts field	Volunteer
E	Exempt

**472 Labor Surplus and High Unemployment Rate Waiver Areas**

Effective November 22, 1996, Able-Bodied Adults Without Dependent Children (ABAWD) individuals who reside in or move to a waiver area are exempt from the ABAWD provisions.

- Tribal Areas with Unemployment Rate Over 10%**

1. Duck Valley Reservation	6. Walker River Paiute Reservation
2. Fort McDermitt Paiute-Shoshone Reservation	7. Stewart Community
3. Goshute Reservation	8. Winnemucca Colony
4. Lovelock Colony	9. Elko Colony
5. Reno-Sparks Colony	10. Fallon Colony

- Tribal Areas with Unemployment Rate More Than 20% Above National Average Rate Over Two Years**

1. Pyramid Lake Reservation	3. Carson Colony
2. Fallon Paiute-Shoshone Reservation	4. Duckwater Reservation
	5. Moapa

- Nevada Counties with Unemployment Rate More than 20% Above National Average Rate Over Two Years**

1. Mineral County	
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- Labor Surplus Areas – Designated by the Department of Labor as Having Insufficient Jobs Due to an Employment-to-Population Ratio**

1. Lyon County	4. All of Washoe County with the exception of Reno and Sparks
2. Mineral County	5. All of Clark County with the exception of Las Vegas, North Las Vegas, and Henderson
3. Nye County	



## **472.1 Statewide ABAWD Exemption**

Effective October 1, 2010, the entire state of Nevada is exempt from the provision limiting ABAWD individuals 3 months of SNAP benefits in a 35-month period until at least September 30, 2011. This exemption is due to Nevada qualifying for extended UIB benefits due to insufficient jobs in the state under the provisions of 7 CFR 273.24(f)(2). Individuals who are exempt under the statewide exemption must be evaluated for SNAPET participation. This exemption does not exempt the entire state from SNAPET requirements.

## **473 ABAWD Time Limits and Tracking**

Able-Bodied Adults Without Dependents (ABAWD) who do not meet work requirements can only receive SNAP benefits for three (3) months in a 36 month period. An ABAWD denied/terminated because they exhausted the first three months may regain eligibility as indicated below.

- **Regaining Eligibility and Application of the Second 3-Month Period**

To regain eligibility an ABAWD must work or participate in a work program (or a combination of both) for 80 or more hours **within a thirty-day period**. The person did not have to be participating in the SNAP program when the 80-hour criteria was met.

**Note:** An individual who regains eligibility may **remain eligible** to receive SNAP benefits if meeting the work requirements listed in manual section B-470. The requirement of working or participating in a program for a minimum of 80 hours in a thirty-day period to regain eligibility does not have to be recent. An individual ABAWD may meet this requirement while receiving SNAP or during the period they are off SNAP or during the 30-day application process. To regain eligibility for three (3) consecutive months, an individual must have had eligibility denied/ terminated.

A person who regains eligibility and subsequently can **no longer** meet the ABAWD work requirements, remains eligible for three (3) consecutive months beginning on the date the individual notifies the division they no longer meet the requirements. The second three-month eligibility period can be given only once in the 36-month period.

- **36-Month Period**

Once started, the 36-month period continues, even while the person is not participating in SNAP. However, the three month “clock” count may start and stop based on employment, involvement in work/training programs or SNAPET work requirement exemptions.

**DO NOT** budget the income/resources of an ineligible ABAWD against the remaining household members.

- **Out Of State ABAWD Status**

If it is verified a person received SNAP benefits in another state in ABAWD status, this must be counted and tracked, except as noted below:

**NOTES:**

- \* If one of the three-month issuances expires and the client later reapplies for benefits, they are entitled to an additional month(s) of benefits, if otherwise eligible, because the expired issuance cannot be counted as one of the three issuances in a 36-month period because it was not redeemed.
- \* If only one or two issuances in the three-month count are received out of state, the client may receive the additional issuance(s) in Nevada, if otherwise eligible.
- \* Do not include (track/count) **an initial application month's prorated issuance** received in **any** state as one of the three months.

- **Tracking ABAWDS**

The Tracking System will identify **individual** ABAWD status by the "N" or "Y" or other applicable codes shown below on the ABAWD screen. ABAWD status should also be tracked in the case record. The status of the individual will be tracked for the months to be counted as an ABAWD. Therefore, if a person becomes exempt from the ABAWD provision because they went to work for two months and became unemployed, left the program, or moved to a waived area, the system will only track the months the individual is not meeting the conditions in manual section B-470. **The ABAWD status must be updated in the computer when there is a change that impacts the status.** When eligibility is regained for receipt of the three (3) consecutive months, use ABAWD code "**R**" in the ABAWD field.

In NOMADS, the "ABAWD" screen is used to capture and track ABAWD status by using one of the following codes:

CODE	DEFINITION
<b>N</b>	Not an ABAWD
<b>O</b>	Other ABAWD eligibility (15% exemption)
<b>R</b>	Requalified ABAWD
<b>W</b>	ABAWD meeting work requirements
<b>X</b>	Ineligible for FS for any reason (for non-NOMADS)
<b>Y</b>	ABAWD does not meet work requirements
<b>Z</b>	ABAWD living in waiver area

\*Reference NOMADS User Task Guide A.II.30

Update ABAWD status no later than the next issuance cycle following the change in circumstance. If the adverse action date has passed, update the case for the next issuance cycle. **Do not count months** the client was not an ABAWD when applying the 3 in 36-month rule. If there is a coding or tracking problem and/or system correction is needed, contact the HELP DESK to update the tracking system with the correct ABAWD indicator.

The following 3 in 36-month chart provides guidance in how to determine countable months.

### EXAMPLE OF THE APPLICATION OF THE ABAWD 3 IN 36-MONTH RULE:

Mary reapplies for SNAP 2/2000. The 3 in 36-month look back period would begin the month of application back to the year 1997. Mary received SNAP in 1/97, 2/97 and 3/97 and was not meeting work requirements so she could not continue receiving benefits. She is now eligible to receive SNAP for 2/00, 3/00 and 4/00 because March is the only countable month in the past 36 months 3/97 - 2/2000.

Due to the rolling 36-month period, March 1997 will drop off the count and allow for an April 2000 issuance. The example chart **counts the month of application backward** to identify the first 36<sup>th</sup> month to determine the number of countable SNAP issuance months to be included in the 3 in 36 count.

1/97	2/97	[3/97]	4/97	5/97	6/97	7/97	8/97	9/97	10/97	11/97	12/97
		36	35	34	33	32	31	30	29	28	27
1/98	2/98	3/98	4/98	5/98	6/98	7/98	8/98	9/98	10/98	11/98	12/98
26	25	24	23	22	21	20	19	18	17	16	15
1/99	2/99	3/99	4/99	5/99	6/99	7/99	8/99	9/99	10/99	11/99	12/99
14	13	12	11	10	9	8	7	6	5	4	3
1/00	[2/00]	3/00	4/00	5/00	6/00	7/00	8/00	9/00	10/00	11/00	12/00
2	1										

This chart shows the 36-month period to be 3/97 to 2/2000; however, the 36-month window will change because it is rolling and dropping a month each time as follows:

1. 3/2000 - 36-month period = 3/2000 - 4/97 = 2 months of SNAP received.
2. 4/2000 - 36-month period = 4/2000 - 5/97 = 3 months of SNAP received.
3. 5/2000 - 36-month period = 5/2000 - 6/97 = 3 months of SNAP received.
4. 6/2000 - 36-month period = 6/2000 - 7/97 = 3 months of SNAP received.

If the client does not meet work requirements after receiving the 2/2000, 3/2000 and 4/2000 issuances, she will not be eligible until the year 2/2003 (e.g., 2/2000 to 1/2001, 2/2001 to 1/2002, 2/2001 to 1/2003).

**480 STUDENTS IN HIGHER EDUCATION****481 Definitions**

For the purpose of this section, a student is between the ages of 18 through 49 and enrolled at least half time in an institution of higher education. An individual is considered to be enrolled in an institution of higher education if the individual is enrolled in a business, technical, trade or vocational school that normally requires a high school diploma or equivalency certificate for enrollment in the curriculum, or if the individual is enrolled in a regular curriculum at a college or university that offers degree programs, regardless of whether a high school diploma is required.

**Note:** Business, trade, vocational or technical schools who require an individual to take and pass an entrance “equivalency test” in lieu of a high school diploma or GED are considered an institution of higher education.

**Enrollment** — Enrollment begins the first day of the first school term. Once enrolled, the student is considered enrolled through the regular school year and vacation; unless the student graduates, is suspended/expelled, drops out or does not intend to register for the normal school term (excluding summer school).

**Note:** Refugee training programs approved, funded or operated by the Office of Refugee Resettlement (ORR), Department of Health and Human Services (HHS), are federally recognized training programs.

**482 STUDENT ELIGIBILITY REQUIREMENTS**

A student qualifies for SNAP by meeting any one of these requirements:

- Enrolled in the school less than half-time, suspended from school, or not planning to register for the next normal school term/course, if another term is available for the student’s curriculum.
- Medically certified as physically or mentally unfit for employment as follows:
  1. is receiving temporary or permanent disability benefits issued by governmental or private sources;
  2. is obviously mentally or physically unfit for employment as determined by Division of Welfare and Supportive Services (DWSS);
  3. if the unfitness is not obvious, provides a statement from a physician, psychologist, medical personnel or social worker that he or she is physically or mentally unfit for employment.
- Employed for pay at least 20 hours a week OR, if self-employed, work a minimum of 20 hours a week and receive weekly earnings at least equal to the federal minimum wage multiplied by 20 hours.

- Participates during the regular school year in a state or federally funded work/study program.
- Is assigned or placed in an institution of higher education in compliance with one of the following programs:
  - Workforce Investment Act of 1998 (WIA), formerly known as JTPA;
  - NEON;
  - SNAPET;
  - 236 of the Trade Act of 1974;
  - Other state and local government employment training program (approved by Central Office).
- Approved for TANF NEON.
- Responsible for the care of a dependent household member who is
  - under the age of 6; or
  - above the age of 5 and under 12 years old, and there is no available or adequate child care, or the other adult household members are working, or physically incapable of providing adequate child care;
  - OR
  - under 12 years old and the single parent is enrolled full time in an institution of higher education (e.g., enrolled in a business, technical, trade, beauty or vocational school, or enrolled in regular curriculum at a college or university that offers degree programs regardless of whether a high school diploma is required. This includes correspondence and off-campus home-study enrollment. This exemption only applies in those situations where only one natural, adoptive or stepparent (regardless of marital status) is the same SNAP household as the child.

**POLICY NOTE:**

If both parents are students, both **cannot** obtain student eligibility by caring for the same child.

**483            Ineligible Students**

An individual who does not meet the student eligibility requirements is not a member of the household. Do not count their income and resources for the remaining household members.

**484 Work Requirements**

Eligible students may be exempt from work requirements during the semester and regular school vacations if they remain enrolled.

**485 Student Income**

Determine the countable amount of all types of educational assistance, following policy in manual section A-734.

**Note:** Student income is not exempted upon reaching 18 years of age.

**486 Student Resources**

Follow resource policy in manual section A-547 to determine resources.

**487 Verification**

Verify money from scholarships, loans, grants, and cash. Verification sources include but are not limited to:

- A statement from the grantor.
- A statement from the educational institution.
- Budget worksheets, or the like, from the educational institution.
- Form 2020 completed by the grantor or educational institution.
- Receipts for allowable costs.

**490 RESERVED**